

Express Mail No.: EL 236 253 038 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kivirikko et al.

Application No.: 09/260,582

Group Art Unit: 1652

Filed: March 1, 1999

Examiner: Not Yet Assigned

For: SYNTHESIS OF HUMAN PROCOLLAGENS AND
COLLAGENS IN RECOMBINANT DNA SYSTEMS

Attorney Docket No.:
8389-082-999

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney of record in the above-entitled application hereby appoint:

Leanne C. Price (Reg. No. 42,090); and
Mariette A. Lapiz (Reg. No. 44,202).

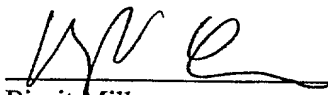
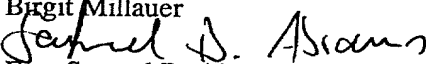
to prosecute the above-identified application, to make alterations and amendments therein, and to
transact all business in the Patent and Trademark Office in connection therewith.

All correspondence concerning the above-identified application should further be addressed
to:

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036
Telephone: (650) 493-4935
Telefacsimile: (650) 493-5556

Respectfully submitted,

Date January 12, 2000


Birgit Millauer 43,341
(Reg. No.)

For: Samuel B. Abrams (Reg. No. 30,605)
PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYNTHESIS OF HUMAN PROCOLLAGENS AND COLLAGENS IN RECOMBINANT DNA SYSTEMS

and for which a patent application:

- ☒ is attached hereto and includes amendment(s) filed on _____ (if applicable)
☐ was filed in the United States on _____ as Application Serial No. _____ (for declaration not accompanying application)
 with amendment(s) filed on _____ (if applicable)
☐ was filed as PCT international application Serial No. _____ on _____ and was amended under PCT Article 19
 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
PCT/US92/09061	PCT	22 OCT 1992	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PCT/US92/22333	PCT	10 JUNE 1992	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE
60/006,608	November 13, 1995

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/486,860	June 7, 1995		X	
08/211,820	August 11, 1994		X	
08/210,063	March 16, 1994		X	
07/780,899	October 23, 1991			X
07/713,945	June 12, 1991			X

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaanni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30,605), Steven I. Wallach (Reg. No. 35,402), and Marcia H. Sundeen (Reg. No. 30893), all of Pennie & Edmonds, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, N.Y. 10036-2711

DIRECT TELEPHONE CALLS TO:
PENNIE & EDMONDS DOCKETING
(212) 790-2803

2 0 1	FULL NAME OF INVENTOR	LAST NAME Kivirikko	FIRST NAME Kari	MIDDLE NAME I	
	RESIDENCE & CITIZENSHIP	CITY Oulu	STATE OR FOREIGN COUNTRY Finland	COUNTRY OF CITIZENSHIP Finland	
	POST OFFICE ADDRESS	STREET Parkkisenranta 5	CITY Oulu	STATE OR COUNTRY Finland	ZIP CODE FIN-90650
2 0 2	FULL NAME OF INVENTOR	LAST NAME Pihlajaniemi	FIRST NAME Taina	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Oulunsalo	STATE OR FOREIGN COUNTRY Finland	COUNTRY OF CITIZENSHIP Finland	
	POST OFFICE ADDRESS	STREET Nauriskuja Runkotie 1B3	CITY Oulunsalo	STATE OR COUNTRY Finland	ZIP CODE FIN-90460
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
2 0 6	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 - Kari K. Kivirikko <i>Kari K. Kivirikko</i>	SIGNATURE OF INVENTOR 202 - Taina Pihlajaniemi <i>Taina Pihlajaniemi</i>	SIGNATURE OF INVENTOR 203
DATE April 26, 1996	DATE April 25, 1996	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE

ASSIGNMENT

WHEREAS, I, Taina Pihlajaniemi, ASSIGNOR, citizen of the Finland, residing at Nauriskuja Runkotie 1B3, Oulunsalo, Finland FIN-90460, am the inventor of the invention in SYNTHESIS OF HUMAN PROCOLLAGENS AND COLLAGENS IN RECOMBINANT DNA SYSTEMS for which I have executed an application for a Patent of the United States

☒ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 8389-033-999

☐ which was filed on __, Serial No. ____

and WHEREAS, FibroGen, Inc., having a place of business at 772 Lucerne Drive, Sunnyvale, California 94086, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26th day of April, 1996.

Taina Pihlajaniemi L.S.
Taina Pihlajaniemi

State of _____)
) SS.:
County of _____)

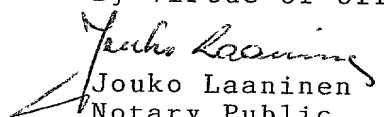
On this _____ day of _____, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared Taina Pihlajaniemi, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

Notary Public.

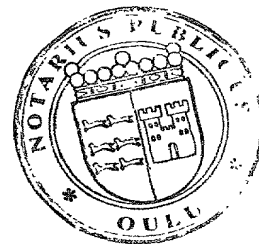
This is to ./..

./... certify tha above own hand signature Mrs Taina Pihlajaniemi.
Oulu, on the 26th of April 1996.

By virtue of office:


Jouko Laaninen
Notary Public
District Registrar

Fmk 30,-



ASSIGNMENT

WHEREAS, I, Kari I. Kivirikko, ASSIGNOR, citizen of FINLAND, residing at Parkkisenranta 5, Oulu, Finland FIN-90650, am the inventor of the invention in SYNTHESIS OF HUMAN PROCOLLAGENS AND COLLAGENS IN RECOMBINANT DNA SYSTEMS for which I have executed an application for a Patent of the United States

☒ which is executed on ☐ even date herewith or ☐ _____ (date)

☒ which is identified by Pennie & Edmonds docket no. 8389-033-999

☐ which was filed on _____, Serial No. _____

and WHEREAS, Academy of Finland, having a place of business at Hameenti 68 B, Helsinki, Finland FIN-00550, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of April, 1996.

Kari I. Kivirikko L.S.

State of _____)
) SS.:
County of _____)

On this _____ day of _____, 1996, before me, a Notary Public in and for the State and County aforesaid, personally appeared Kari I. Kivirikko, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

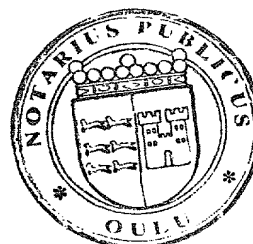
Notary Public.

This is to ./..

./... certify the above own hand signature of Mr Kari Kivirikko.
Oulu, on the 26th of April 1996.

By virtue of office:

Jouko Laaninen
Jouko Laaninen
Notary Public
District Registrar



Fmk 30,-